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10/008,491	11/13/2001	Christopher J. Feola	45003-45USPT	5649

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EXAMINER	
SALL, EL HADJI MALICK	
ART UNIT	**PAPER NUMBER**
2157	

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/008,491	FEOLA ET AL.	
	Examiner	Art Unit	
	El Hadji M Sall	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 November 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-34* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. **DETAILED ACTION**

This action is responsive to the application filed on November 13, 2001. Claims 1-34 are pending. Claims 1-34 represent content operating system.

2. Claim Rejections - 35 USC § 102

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-34 are rejected under 35 U.S.C. 102(e) as being unpatentable over Diwan U.S. 6,801,936.

Diwan teaches the invention as claimed including systems and methods for generating customized bundles of information.

As to claim 1, Diwan teaches a system for distributing content over a network, said system comprising:

a content object including the content to be distributed over the network (column 1, lines 47-52, Diwan discloses Systems and methods consistent with the present invention address this need by providing at least one agent that gathers information from multiple sources, packages the information into customized bundles...);

at least one rule object operable to apply at least one rule to said content object for distribution over the network (column 1, lines 47-52, Diwan disclose...and delivers the bundles to subscribers according to a set of rules using multicast routing techniques); and

at least one container object operable to receive and prepare said content object having the at least one rule applied thereto for distribution over the network (figure 5, item 540, Diwan discloses agent delivers bundles to subscribers according to rules using multicast techniques).

As to claim 2, Diwan teaches the system according to claim 1 wherein the network includes at least one of the following: terrestrial and satellite based (figure 1)

As to claim 3, Diwan teaches the system according to claim 1, wherein the network is the Internet (column 2, lines 59-60, Diwan discloses The networks 175 and 180 may include the Internet).

As to claim 4, Diwan teaches the system according to claim 1, wherein said content object includes at least one of the following: text, graphics, image, video and sound (column 5, lines 1-2, Diwan discloses the form that the subscriber wants the bundle delivered (e.g., in text or audio format), etc.).

As to claim 5, Diwan teaches the system according to claim 1, wherein each rule object includes at least one rule distinct from other rule objects (column 2, lines 43-46, Diwan discloses the systems and methods gather information from the sources,

package them into customized bundles according to requests and rules defined by the subscribers and/or agent managers).

As to claim 6, Diwan teaches the system according to claim 5, wherein the at least one distinct rule is based on a specific channel for which the associated rule object is associated (column 3, lines 35-46, Diwan discloses...the information providers 145-155 may connect to the network 180 in a number of different ways, including wired, wireless, and optical connections. For example, information provider 145 connects to the network 180 via a conventional gateway 160...).

As to claim 7, Diwan teaches the system according to claim 5, wherein the at least one distinct rule is based on a specific terminal for which the associated rule object is associated (column 2, lines 43-46, Diwan discloses The systems and methods gather information from the sources, package them into customized bundles according to requests and rules defined by the subscribers and/or agent managers)

As to claim 8, Diwan teaches the system according to claim 5, further comprising a channel object operable to receive said content object as prepared by said container object (figure 1).

As to claim 9, Diwan teaches the system according to claim 8, wherein said channel object defines a channel of distribution over the network (figure 1; column 2, lines 4-7, Diwan discloses generate multicast messages containing the bundles, and transmit the multicast messages to appropriate ones of the subscribers).

As to claim 10, Diwan teaches the system according to claim 8, wherein said channel object includes at least one of the following channels: Internet, wireless, cellular, and satellite (column 2, lines 54-65, Diwan discloses The networks 175 and 180 may include the Internet).

As to claim 11, Diwan teaches the system according to claim 8, wherein the at least one rule defines a process for which said content object is subject to for distribution over a particular channel over the network (column 1, lines 47-52, Diwan discloses Systems and methods consistent with the present invention address this need by providing at least one agent that gathers information from multiple sources, packages the information into customized bundles, and delivers the bundles to subscribers according to a set of rules using multicast routing techniques).

As to claim 12, Diwan teaches the system according to claim 11, wherein the process includes reducing the amount of data to be distributed (figure 4, item 450, Diwan discloses agent arranges for receipt of information that subscriber desires from information providers). Subscriber can receive less or more information as he desires.

As to claim 13, Diwan teaches the system according to claim 11, wherein the particular channel is predetermined (column 1, lines 37-40, Diwan discloses If a user desires information in this case, the user must determine what information providers supply the desired information and subscribe to their information delivery services).

As to claim 14, Diwan teaches the system according to claim 8, further comprising a directory lookup service for assigning said content object to at least one rule and at least one container object (figure 3).

As to claim 15, Diwan teaches the system according to claim 9, further comprising an object broker (figure 1, item 190).

As to claim 16, Diwan teaches the system according to claim 8, wherein the preparation by the at least one container object includes applying a template to said content object for display (column 4, lines 5-17, Diwan discloses...The output device 270 may include any conventional mechanism that outputs information to the operator, including a display...).

As to claim 17, Diwan teaches a method for distributing content over a distribution channel of a network, said method comprising:

receiving the content to be distributed over the distribution channel of the network (column 1, lines 47-52, Diwan discloses Systems and methods consistent with the present invention address this need by providing at least one agent that gathers information from multiple sources, packages the information into customized bundles...; column 4, lines 61-63, Diwan discloses The rules field 316 may store rules that control the manner in which the agent 190 bundles and distributes the information it receives from the information providers);

applying at least one rule to the content, the at least one rule being based on the distribution channel for the content to be distributed (column 1, lines 47-52, Diwan disclose...and delivers the bundles to subscribers according to a set of rules using multicast routing techniques); and

communicating the content having the at least one rule applied thereto to have at least one data element further applied thereto via a distinct process from said applying of the at least one rule, the content having the at least one rule and data element being applied thereto being prepared for distribution over the distribution channel (figure 5, item 540, Diwan discloses agent delivers bundles to subscribers according to rules using multicast techniques).

As to claim 18, Diwan teaches the method according to claim 17, further comprising distributing the content having the at least one rule and data element being applied thereto over the distribution channel of the network (column 1, lines 47-52, Diwan discloses Systems and methods consistent with the present invention address this need by providing at least one agent that gathers information from multiple sources, packages the information into customized bundles, and delivers the bundles to subscribers according to a set of rules using multicast routing techniques).

As to claim 19, Diwan teaches the method according to claim 18, wherein the distribution channel includes at least one of the following: email, broadcast, ethernet, wireless ethernet, cellular, and the Internet (column 2, lines 54-65, Diwan discloses The networks 175 and 180 may include the Internet).

As to claim 20, Diwan teaches the method according to claim 17, wherein the network is at least one of terrestrial and satellite based (figure 1).

As to claim 21, Diwan teaches the method according to claim 17, wherein the at least one data element includes a template for the content (column 5, lines 1-2, Diwan discloses the form that the subscriber wants the bundle delivered (e.g., in text or audio format), etc.).

As to claim 22, Diwan teaches the method according to claim 17, wherein the content includes at least one of the following: text, graphics, image, video, and audio (column 5, lines 1-2, Diwan discloses the form that the subscriber wants the bundle delivered (e.g., in text or audio format), etc.).

As to claim 23, Diwan teaches the method according to claim 17, further comprising looking-up a network location for processing said applying the at least one rule (figure 3).

As to claim 24, Diwan teaches a system for distributing content over a distribution channel of a network, said method comprising:

means for receiving the content to be distributed over the distribution channel of the network (column 1, lines 47-52, Diwan discloses Systems and methods consistent with the present invention address this need by providing at least one agent that gathers information from multiple sources, packages the information into customized

bundles...; column 4, lines 61-63, Diwan discloses The rules field 316 may store rules that control the manner in which the agent 190 bundles and distributes the information it receives from the information providers);

means for applying at least one rule to the content, the at least one rule being based on the distribution channel for the content to be distributed (column 1, lines 47-52, Diwan disclose...and delivers the bundles to subscribers according to a set of rules using multicast routing techniques); and

means for communicating the content having the at least one rule applied thereto to have at least one data element further applied thereto via a distinct process from said applying of the at least one rule, the content having the at least one rule and data element being applied thereto being prepared for distribution over the distribution channel (figure 5, item 540, Diwan discloses agent delivers bundles to subscribers according to rules using multicast techniques).

As to claim 25, Diwan teaches a computer-readable medium having stored thereon sequences of instructions, the sequences of instructions including instructions, when executed by a processor, causes the processor to:

receive the content to be distributed over the distribution channel of the network (column 1, lines 47-52, Diwan discloses systems and methods consistent with the present invention address this need by providing at least one agent that gathers information from multiple sources, packages the information into customized bundles...; column 4, lines 61-63, Diwan discloses The rules field 316 may store rules that control the manner in which the agent 190 bundles and distributes the information it receives from the information providers);

apply at least one rule to the content, the at least one rule being based on the distribution channel for the content to be distributed (column 1, lines 47-52, Diwan disclose...and delivers the bundles to subscribers according to a set of rules using multicast routing techniques); and

communicate the content having the at least one rule applied thereto to have at least one data element further applied thereto via a distinct process from said applying

of the at least one rule, the content having the at least one rule and data element being applied thereto being prepared for distribution over the distribution channel (figure 5, item 540, Diwan discloses agent delivers bundles to subscribers according to rules using multicast techniques).

As to claim 26, Diwan teaches a method for distributing content to a terminal operating on a channel, said method comprising:

receiving the content to be distributed to the terminal over the channel (column 1, lines 47-52, Diwan discloses systems and methods consistent with the present invention address this need by providing at least one agent that gathers information from multiple sources, packages the information into customized bundles...; column 4, lines 61-63, Diwan discloses The rules field 316 may store rules that control the manner in which the agent 190 bundles and distributes the information it receives from the information providers);

determining a first network location available to process the content for distribution on the channel, the processing including applying at least one rule to be applied to the content based on the terminal and channel for the content to be distributed (column 1, lines 47-52, Diwan disclose...and delivers the bundles to subscribers according to a set of rules using multicast routing techniques); and

transmitting the content to the first network location to process the content for distribution over the channel to the terminal (figure 5, item 540, Diwan discloses agent delivers bundles to subscribers according to rules using multicast techniques).

A to claim 27, Diwan teaches the method according to claim 26, further comprising:

determining a second network location available to apply at least one data element indicative of a template for the content to be associated (column 5, lines 1-2, Diwan discloses the form that the subscriber wants the bundle delivered (e.g., in text or audio format), etc.).

As to claim 28, Diwan teaches the method according to claim 26, wherein the channel includes at least one of terrestrial and satellite based (figure 1).

As to claim 29, Diwan teaches the method according to claim 26, wherein the terminal includes at least one of the following:

computing system, mobile telephone, personal digital assistant, and pager (column 2, line 66 to column 3, line 3, Diwan discloses The subscribers 105-125 may include any combination of personal computers, personal digital assistants (PDAs), laptops, mobile or portable telephones, and similar communication devices that request information supplied by one or more of the information providers 145-155).

As to claim 30, Diwan teaches a system for distributing content to a terminal operating on a channel, said system comprising:

means for receiving the content to be distributed to the terminal over the channel (column 1, lines 47-52, Diwan discloses systems and methods consistent with the present invention address this need by providing at least one agent that gathers information from multiple sources, packages the information into customized bundles...; column 4, lines 61-63, Diwan discloses The rules field 316 may store rules that control the manner in which the agent 190 bundles and distributes the information it receives from the information providers);

means for determining a first network location available to process the content for distribution on the channel, the processing including applying at least one rule to be applied to the content based on the terminal and channel for the content to be distributed (column 1, lines 47-52, Diwan disclose...and delivers the bundles to subscribers according to a set of rules using multicast routing techniques); and

means for transmitting the content to the first network location to process the content for distribution over the channel to the terminal (figure 5, item 540, Diwan discloses agent delivers bundles to subscribers according to rules using multicast techniques).

As to claim 31, Diwan teaches the system according to claim 30, further comprising:

means for determining a second network location available to apply at least one data element indicative of a template for the content to be associated (column 5, lines 1-2, Diwan discloses the form that the subscriber wants the bundle delivered (e.g., in text or audio format), etc.).

As to claim 32, Diwan teaches a system for distributing content to a terminal operating on a channel, said system comprising:

a processor operable to determine a first network location available to process the content for distribution on the channel, the processing including applying at least one rule to be applied to the content based on the terminal and channel for the content to be distributed (figure 5, item 540, Diwan discloses agent delivers bundles to subscribers according to rules using multicast techniques; column 8, lines 16-25, Diwan discloses a processor configured to: gather information from a plurality of information providers, package at least some of the gathered information into customized bundles according to the received requests and the stored rules by grouping information that satisfies the requests of multiple ones of the users, and deliver the customized bundles to the multiple users according to the stored rules).

As to claim 33, Diwan teaches the system according to claim 32, wherein the channel includes at least one of terrestrial and satellite (figure 1).

As to claim 34, Diwan teaches the system according to claim 32, wherein the terminal includes at least one of the following: computing system, mobile telephone, personal digital assistant, and pager (column 2, line 66 to column 3, line 3, Diwan discloses The subscribers 105-125 may include any combination of personal computers, personal digital assistants (PDAs), laptops, mobile or portable telephones,

and similar communication devices that request information supplied by one or more of the information providers 145-155).

4. Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to El Hadji M Sall whose telephone number is 571-272-4010. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-4010.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

El Hadji Sall
Patent Examiner
Art Unit: 2157

SALEH NAJJAR
PRIMARY EXAMINER